

Notice of Allowability

Application No.

10/079,961

Applicant(s)

ECCLES ET AL.

Examiner

Art Unit

John M. Winter

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the paper filed on March 24, 2006.
2. ☒ The allowed claim(s) is/are 1-13, 15, 17-25, 29, 32-52, 54-56 and 58.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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DETAILED ACTION

Allowable Subject Matter

Claims 1-13, 15, 17-25, 29, 32-52,54-56 and 58 are allowed over the prior art record.

1. The following is an examiner's statement of reasons for allowance:
2. The closest prior art of record Checchio (US Patent No 6,023,682) teaches method for credit card authorization utilizing a comparison of a purchase token with test information; Payment Card Industry Data Security Standard teaches a method for protecting confidential transaction data. Yoshitomi (JP 05174232) teaches a method for splitting a payment into multiple segments.

What they fail to teach or suggest:

A.

A transaction method in which a first party transfers a first part of a payment token to a second party to obtain the subject of a transaction, the first party transfers a second part of the payment token to a third party, the first party issues a notification that the subject has been received, and the third party, subsequent to receiving notification that the first party has received the subject, releases the second part of the payment token to the second party to allow payment to the second party.

These distinct features render claim 1 allowable.

Claims 2-13 are dependant upon claim 1 and are allowable for at least the same reasons

B.

A method according to claim 14, wherein the first party optionally decides to cancel the transaction by requesting the third party to do so.

A transaction method in which a first party transfers a first part of a payment token to a second party to obtain the subject of a transaction, the first party transfers a second part of the payment token to a third party, the first party issues a notification that the subject has been received, and the third party, subsequent to receiving notification that the first party has received the subject, releases the second part of the payment token to the second party to allow payment to the second party, wherein the payment token does not contain information identifying or facilitating the identification of the first party's account.

These distinct features render claim 24 allowable.

Claims 15,17-23 and 25 are dependant upon claim 24 and are allowable for at least the same reasons

C.

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A transaction method in which a first party transfers a first part of a payment token to a second party to obtain the subject of a transaction, the first party transfers a second part of the payment token to a third party, the first party issues a notification that the subject has been received, and the third party, subsequent to receiving notification that the first party has received the subject, releases the second part of the payment token to the second party to allow payment to the second party, wherein a logistics agent transfers the subject of the transaction to the first party.

These distinct features render claim 29 allowable.

D.

A system for performing transactions, comprising third party data processing apparatus connected to first and second parties engaging in a transaction for communication therewith, wherein the third party data processing apparatus comprises a transferor arranged to receive a second part of a payment token from a first party to a transaction and a verifier arranged to verify that the subject of the transaction has been received by the first party to enable the transferor to release said second part to a second party for use with a first part of said token to permit payment to the second party.

These distinct features render claim 32 allowable.

Claims 33-42 are dependant upon claim 32 and are allowable for at least the same reasons.

E.

A system for performing transactions, comprising first, second and third parties, said first and second parties being interconnected for communication via the third party to enable the first party to give a payment token to the second party in return for the subject of a transaction, wherein the first party is arranged to transfer at least one part of the payment token to the second party via the third party, and the payment token does not identify the first party.

These distinct features render claim 43 allowable.

Claims 44-52 are dependant upon claim 43 and are allowable for at least the same reasons.

F.

A system for performing transactions, comprising third party data processing apparatus connected to first and second parties engaging in a transaction for communication therewith, wherein the third party data processing apparatus comprises a transferor arranged to receive a second part of a payment token from a first party to a transaction and a verifier arranged to verify that the subject of the transaction has been received by the first party to enable the transferor to release said second part to a second party for use with a first part of said token to permit payment to the second party, wherein the payment token does not contain information identifying or facilitating the identification of the first party's account.

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These distinct features render claim 54 allowable.

G.

A system for performing transactions, comprising first, second and third parties, said first and second parties being interconnected for communication via the third party to enable the first party to give a payment token to the second party in return for the subject of a transaction, wherein the first party is arranged to transfer at least one part of the payment token to the second party via the third party, the payment token does not identify the first party, and the payment token does not contain information identifying or facilitating the identification of the first party's account.

These distinct features render claim 55 allowable.

H.

A system for performing transactions, comprising third party data processing apparatus connected to first and second parties engaging in a transaction for communication therewith, wherein the third party data processing apparatus comprises a transferor arranged to receive a second part of a payment token from a first party to a transaction and a verifier arranged to verify that the subject of the transaction has been received by the first party to enable the transferor to release said second part to a second party for use with a first part of said token to permit payment to the second party, wherein the system further comprises a logistics agent for transferring the subject of the transaction to the first party.

These distinct features render claim 56 allowable.

I.

A system for performing transactions, comprising third party data processing apparatus connected to first and second parties engaging in a transaction for communication therewith, wherein the third party data processing apparatus comprises a transferor arranged to receive a second part of a payment token from a first party to a transaction and a verifier arranged to verify that the subject of the transaction has been received by the first party to enable the transferor to release said second part to a second party for use with a first part of said token to permit payment to the second party, wherein the payment token does not identify the first party and the system further comprises a logistics agent for transferring the subject of the transaction to the first party.

These distinct features render claim 58 allowable.

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Conclusion

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the examiner should be directed to John Winter whose telephone number is **(571) 272-6713**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **(571) 272-6712**. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

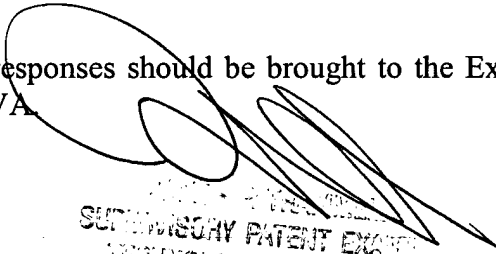
or faxed to:

(703) 305-7687 [Official communications; including After Final communications labeled "Box AF"]

Hand delivered responses should be brought to the Examiner in the Knox Building, 50 Dulany St. Alexandria, VA.

JMW

April 25, 2006


SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3621